

House Bill 1316

By: Representatives Watson of the 91<sup>st</sup>, Henson of the 87<sup>th</sup>, Shipp of the 58<sup>th</sup>, Benfield of the 85<sup>th</sup>, Chambers of the 81<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To create the DeKalb County Project Achieve Fund; to provide for legislative findings; to  
2 authorize the imposition and collection of a surcharge to certain civil filings; to specify the  
3 uses to which such surcharge may be put; to provide for the auditing and accounting for such  
4 fund; to provide for a supervising board for such fund and the membership, composition,  
5 authority, powers, and duties thereof; to provide for related matters; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds that:

10 (1) Project Achieve is a collaboration and initiative between the DeKalb County courts,  
11 the DeKalb County School System, and the DeKalb County Commission effectuating  
12 assistance to some of the youth who are first-time offenders. Project Achieve is designed  
13 to provide a second chance at school and rehabilitation for troubled youth;

14 (2) The premise behind Project Achieve is that some young offenders can be better  
15 rehabilitated if they are given strict supervision; skills, academic, emotional, and anger  
16 management training; and an achievable set of goals than by simply incarcerating them  
17 and then putting them back on the street. Offenders who do not earn either a high school  
18 diploma or GED are 75 percent more likely to re-offend than those who earn their  
19 diploma or GED;

20 (3) In Project Achieve's first year of operation, 2005, there were four successful  
21 graduates who worked with two fully certified teachers and who passed the GED exam.  
22 Five other students passed all the core areas of the GED exam and are awaiting results  
23 of the writing sections. In addition, during the time these participants were in Project  
24 Achieve, they did not re-offend;

25 (4) DeKalb State and Superior Court judges participate by referring carefully screened  
26 applicants to Project Achieve and arranging for participation as an alternative to

1 traditional sentencing. The DeKalb County probation director oversees the day-to-day  
2 operations;

3 (5) Project Achieve is easily accessible to students. It is on a bus line and train line. The  
4 classroom is located right next door to the probation office so that attendance and  
5 behavior can be monitored on a hourly and daily basis, as needed. There are rules and  
6 regulations that each student agrees to follow, and each student is aware of the  
7 consequences if they do not follow such rules and regulations, which include immediate  
8 incarceration;

9 (6) The DeKalb County School System provides teachers and the services of Dr. Regina  
10 Fletcher, the executive director for special projects;

11 (7) DeKalb County commissioners provide room for classes and computers and Internet  
12 access for instructional use; and

13 (8) Besides the educational aspect of this program, Project Achieve also offers its  
14 students anger management training, mentoring, and work force development.

## 15 **SECTION 2.**

16 The DeKalb County Project Achieve Fund is hereby established.

## 17 **SECTION 3.**

18 The clerk of the State Court of DeKalb County is authorized and shall be entitled to charge  
19 a surcharge of \$3.00 to each civil case filed in the State Court of DeKalb County. Such  
20 surcharges shall be deposited by the clerk in the DeKalb County Project Achieve Fund.

## 21 **SECTION 4.**

22 The clerk of the State Court of DeKalb County shall establish an account designated as the  
23 DeKalb County Project Achieve Fund in the same manner as the clerk establishes other  
24 accounts of his or her office. The clerk shall:

25 (1) Maintain accurate records of all funds collected or imposed in accordance with this  
26 Act;

27 (2) Reconcile said account in the same manner as all other accounts supervised by the  
28 clerk;

29 (3) Be subject to the same audit requirements as all other accounts held by the clerk; and

30 (4) Provide the Supervising Board of the DeKalb County Project Achieve Fund with an  
31 annual report of all expenditures and collections of the DeKalb County Project Achieve  
32 Fund.

**SECTION 5.**

There is created the Supervising Board of the DeKalb County Project Achieve Fund which shall consist of three members. One member shall be a judge from Division 4 of the State Court of DeKalb County, one member shall be the solicitor general of the State Court of DeKalb County, and one member shall be the clerk of the State Court of DeKalb County or his or her designee.

**SECTION 6.**

The Supervising Board of the DeKalb County Project Achieve Fund shall have the sole authority to direct the clerk to expend funds for the Project Achieve program for the courts in DeKalb County and may authorize the clerk to make reasonable expenditures for authorized projects from the fund, as necessary. The fund may be used to further the mission of Project Achieve, including, without limitation, salaries and benefits for full-time staff and full-time personnel, general counseling, anger management counseling, domestic violence counseling, job training, office supplies, computers, and temporary assistance on a case-by-case basis. Each such expenditure shall be documented by the clerk in a manner consistent with expenditures made by the clerk in other court related accounts.

**SECTION 7.**

The state court judge shall be the chairperson of the board who shall call meetings as necessary for the proper operation of the board. The supervising board shall meet no less than once each year to accept and review the annual report of the fund from the clerk but may meet at any other time at the board's discretion.

**SECTION 8.**

Moneys collected and deposited into the DeKalb County Project Achieve Fund shall be used to supplement the funds appropriated to the offices of the clerk of the Superior Court of DeKalb County, the State Court of DeKalb County, the Magistrate Court of DeKalb County, and other courts in the DeKalb County court system but shall not be used to supplant those funds appropriated by the DeKalb County Board of Commissioners or the DeKalb County government.

**SECTION 9.**

All laws and parts of laws in conflict with this Act are repealed.